

REMARKS

Claims 1-23 are pending in this application. Claims 1, 19, and 24-27 are the independent claims. Claims 1, 15-16, 19, and 23 are amended. Independent claims 24-27 are newly added. Claims 3-4 and 20 is cancelled without any intent of prejudice to or disclaimer of the subject matter contained therein. Claim 18 was previously cancelled. Reconsideration and allowance of the present application are respectfully requested.

Entry of Amendment After Final Rejection

Entry of the Amendment is requested under 37 C.F.R. § 1.116 because the Amendment: a) places the application in condition for allowance for the reasons discussed herein; b) does not present any additional claims without canceling the corresponding number of final rejected claims; and/or c) places the application in better form for an appeal, if an appeal is necessary. **Specifically, the allowable subject matter of claim 3 has been added to independent claims 1 and 19. Additionally, four new independent claims have been added which include: 1) the limitations of independent claim 1 and the allowable subject matter of claim 4, 2) the limitations of independent claim 1 and the allowable subject matter of claim 15, 3) the limitations of independent claim 19 and the allowable subject matter of claim 3, and 4) the limitations of independent claim 19 and the allowable subject matter of claim 15.** Entry of the Amendment is thus respectfully requested.

Statement Under 37 C.F.R. §1.133(b)

In response to the telephonic interview conducted September 16, 2009 and the Interview Summary dated October 2, 2009, Applicant wishes to thank the Examiner for the courtesies extended during the interview. Applicant has reviewed the Interview Summary and has found it to be substantially accurate in describing the substance of the interview.

Rejections under 35 U.S.C. §103 – Lottici

Claims 1, 4, 7-9, 12-15, 19, 21-22 stand rejected under 35 U.S.C. §103(a) as being unpatentable over EP 0872724 (“Lottici”). This rejection is respectfully traversed.

Applicant amends independent claims 1 and 19 by moving the allowable subject matter of claim 3 into both of the claims. Therefore, Applicant asserts that independent claims 1 and 19 are patentable. Due at least to the dependence of claims 7-9, 12-15 and 21-22 on the respective independent claims, Applicant also asserts that these claims are patentable. Therefore, Applicant respectfully requests that this art ground of rejection of these claims under 35 U.S.C. §103 be withdrawn.

Rejections under 35 U.S.C. §103 – Lottici in view of Axelrod

Claims 2, 6, 20 and 23 stand rejected under 35 U.S.C. §103(a) as being unpatentable over Lottici in view of U.S. Patent 5,444,535 (“Axelrod”). This rejection is respectfully traversed.

Applicant amends independent claims 1 and 19 by moving the allowable subject matter of claim 3 into both of the claims. Therefore, Applicant asserts that

independent claims 1 and 19 are patentable. Due at least to the dependence of claims 2, 6, 20 and 23 on the respective independent claims, Applicant also asserts that these claims are patentable. Therefore, Applicant respectfully requests that this art ground of rejection of these claims under 35 U.S.C. §103 be withdrawn.

Rejections under 35 U.S.C. §103 – Lottici in view of Axelrod and Jacobs

Claims 5, and 10-11 stand rejected under 35 U.S.C. §103(a) as being unpatentable over Lottici in view of Axelrod and further in view of U.S. Patent 4,160,601 (“Jacobs”). This rejection is respectfully traversed.

Applicant amends independent claim 1 by moving the allowable subject matter of claim 3 into the claim. Therefore, Applicant asserts that independent claim 1 is patentable. Due at least to the dependence of claims 5 and 10-11 on claim 1, Applicant also asserts that these claims are patentable. Therefore, Applicant respectfully requests that this art ground of rejection of these claims under 35 U.S.C. §103 be withdrawn.

Rejections under 35 U.S.C. §103 – Lottici in view of Krieg

Claim 17 stands rejected under 35 U.S.C. §103(a) as being unpatentable over Lottici in view of U.S. Patent 5,405,014 (“Krieg”). This rejection is respectfully traversed.

Applicant amends independent claim 1 by moving the allowable subject matter of claim 3 into the claim. Therefore, Applicant asserts that independent claim 1 is patentable. Due at least to the dependence of claim 17 on claim 1, Applicant also

asserts that this claim is patentable. Therefore, Applicant respectfully requests that this art ground of rejection of these claims under 35 U.S.C. §103 be withdrawn.

Allowable Subject Matter

Applicant notes with appreciation the Examiner's indication that claims 3-4 and 15-16 contain allowable subject matter. Applicant moves the allowable subject matter [of claim 3 into independent claims 1 and 19.

New Claims

Applicant adds four new independent claims. The independent claims include: 1) the limitations of independent claim 1 and the allowable subject matter of claim 4 in new claim 24, 2) the limitations of independent claim 1 and the allowable subject matter of claim 15 in new claim 25, 3) the limitations of independent claim 19 and the allowable subject matter of claim 3 in new claim 26, and 4) the limitations of independent claim 19 and the allowable subject matter of claim 15 in new claim 27.

<Remainder of Page Left Intentionally Blank>


CONCLUSION

In view of the above remarks and amendments, Applicant respectfully submits that each of the rejections has been addressed and overcome, placing the present application in condition for allowance. A notice to that effect is respectfully requested. If the Examiner believes that personal communication will expedite prosecution of this application, the Examiner is invited to contact the undersigned.

Should there be any outstanding matters that need to be resolved in the present application, the Examiner is respectfully requested to contact the undersigned at the telephone number below.

If necessary, the Commissioner is hereby authorized in this, concurrent, and future replies, to charge payment or credit any overpayment to Deposit Account No. 08-0750 for any additional fees required under 37 C.F.R. § 1.16 or under 37 C.F.R. § 1.17; particularly, extension of time fees.

Respectfully submitted,
HARNES, DICKY, & PIERCE, P.L.C.

By 
Donald J. Daley, Reg. No. 34,313

P.O. Box 8910
Reston, Virginia 20195
(703) 668-8000

DJD/CES:vrj